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CONCLUSION

Claims 1-7, 9-12, 14-20, 22-26, 28-31, 33-34, 36-37, 39-49, 54-57, 59-63, 65-66, 69, 71, 74-75, and 77-80 are pending in this application. By this Amendment, claims 1-5, 9, 11, 14-15, 17, 19-20, 22, 24-26, 28, 30-31, 37, 49, 54, 57, 59-61, 63, 69, 71, and 77 are amended and claims 8, 13, 21, 27, 32, 35, 38, 50-53, 58, 64, 67-68, 70, 72-73, 76, and 81-82 are canceled without prejudice or disclaimer.

Claim 61 was objected to because of an informality. Claim 61 has been amended to recite "QPCH". The objection to claim 38 is most since it has been cancelled. Withdrawal of this objection is respectfully requested.

Claims 1, 2, 9, and 12-14 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Chander et al. (U.S. Patent No. 5,909,651) in view of Khalil (U.S. Patent No. 6,091,961). Claims 8 and 15 were rejected under 35 U.S.C. § 103(a) as being unpatentable Chander et al. in view of Khalil in view of Heo (U.S. Patent No. 6,563,840). Claims 20 and 26 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Chander et al. in view of Khalil and Rydbeck et al. (U.S. Patent No. 6,332,006). Claims 4-7, 16-17, 19, 22-25, 28-40, 42-43, and 45-82 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Chander et al. in view of Khalil and in view of either Willey #1 (U.S. Patent No. 6,505,058), Willey #2 (U.S. Patent No. 6,138,034), Heo, Butler et al. (U.S. Patent No. 6,111,865), or Brown Jr. et al. (U.S. Patent No. 6,363,242). Claims 41 and 44 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Chander et al. in view of Khalil, Willey, and Gilhousen et al. (U.S. Patent No. 6,421,540). Claims 10-11, 18, and 24 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Chander et

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al. in view of Khalil and Korpela et al. (EP-0928119). Claims 3, 21, and 27 were rejected under 35 U.S.C. § 103(a) as being unpatenable over Chander et al. in view of Khalil, Rydbeck et al., and Butler et al.

Due to the complexity of this rejection and the number of claims pending, each rejection is being reorganized based on claim set 1-14, claim set 15-19, claim set 20-25, claim set 26-30, claim set 31-36, claim set 37-48, claim set 49-56, claim set 57-68, claim set 69-70, claim set 71-80 and claim set 81-82. Such breakdown based on claim set will simply the issues for reply, illustrate the lack of motivation and/or application hindsight in the above rejection, and improper combination of the rejections.

A. Claim set 1-14 stand rejected as follows:

- (1) Claims 1, 2, 9, 12, and 13-14 stand rejected under 35 U.S.C. § 103 over Chander et al. in view of Khalil.
- (2) Claim 3 stands rejected under 35 U.S.C. § 103 over Chander et al. and Khalil and further in view of Rydbeck et al. and Butler et al.
- (3) Claims 4 and 6 stand rejected under 35 U.S.C. § 103 over Chander et al., Khalil, Rydbeck et al. and Butler et al. It is noted that the Office Action rejects claims 4 and 6 based on a combination of Chander et al., Khalil and Butler et al.; however, in order to properly reject claims 4 and 6, Rydbeck et al. must be included since claim 3 is an intervening claim of claims 4 and 6.
- (4) Claim 5 stands rejected under 35 U.S.C. § 103 over Chander et al. and Khalil in view of Rydbeck et al., and Butler et al., and further in view of Willey #1. It is noted

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that the Office Action rejects claim 5 based on a combination of Chander et al., Khalil and Willey #1; however, in order to properly reject claim 5, Rydbeck et al. and Butler et al. must be included since claims 3-4 are intervening claims of claim 5.

- (5) Claim 7 stands rejected under 35 U.S.C. § 103 over Chander et al. and Khalil in view of Rydbeck et al. and Butler et al. and further in view of Willey #1. It is noted that the Office Action rejects claim 7 based on a combination of Chander et al., Khalil and Willey #1; however, in order to properly reject claim 7, Rydbeck et al. and Butler et al. must be included since claim 3 is an intervening claim of claim 7.
- (6) Claim 8 stands rejected under 35 U.S.C. § 103 over Chander et al. and Khalil in view of Rydbeck et al. and Butler et al. and further in view of Heo. It is noted that the Office Action rejects claim 8 based on a combination of Chander et al., Khalil and Heo; however, in order to properly reject claim 8, Rydbeck et al. and Butler et al. must be included since claim 3 is an intervening claim of claim 8.
- (7) Claims 10 and 11 stand rejected under 35 U.S.C. § 103 over Chander et al. and Khalil in view of Korpela et al.

For the following reasons, the above rejections are respectfully traversed.

First, the features of claim 8 and 13 have been incorporated into independent claim 1, and hence, the rejections based on A.(1), and A.(6) will be discussed below in regard to amended claim 1.

In regard to rejection A.(1) above, the combination of Chander et al. and Khalil fails to disclose or teach the combination of features as recited in amended claim 1. Chander et al.

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discloses a broadcast message on a paging channel whereas Kahalil discloses a broadcast message on the BCCH. The combination of the two references results in a broadcast message being transmitted on the paging channel and a broadcast message being transmitted on the broadcast channel. However, such a combination of Chander et al. and Khalil does not disclose or teach "transmitting a broadcast indicator using a common control channel, the broadcast indicator indicating a transmission of a broadcast message on a paging channel or a broadcast channel, wherein the common control channel is a different channel from the paging channel or the broadcast channel," as recited in amended claim 1.

In regard to rejection A.(6), the proposed combination of Chander et al., Khalil, Rydbeck et al., Butler et al. and Heo cannot disclose or teach the combination of features, as recited in amended independent claim 1. First, Heo is assigned to LG Information and Communications, which is the same assignee of this application, and hence, cannot qualify as prior art. See MPEP 2141.01.

Rydbeck et al. discloses use of two channels for sending the same message, where one channel is a normal channel and a second channel, is a high penetration communication channel. The high penetration communication channel uses Walsh Hadamard coding such that if the message on the first channel cannot be received via the first channel, it is more likely that the same message, which is differently coded, is received through the high penetration communication channel. Such a teaching would not result in the claimed features of amended claim 1. Instead, the result of such a combination would result in a message being sent through four different channels, where two channels comprise a paging channel and a high penetration

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paging channel and the other two channels are a broadcast channel and a high penetration

broadcast channel.

Moreover, Butler et al. cannot teach "transmitting a broadcast indicator using a common

control channel, the broadcast indicator indicating a transmission of a broadcast message on a

paging channel or a broadcast channel, wherein the common control channel is a different

channel from the paging channel or the broadcast channel," as recited in amended claim 1.

The teaching of Butler et al. is similar to Rydbeck et al. where a quick paging channel has

minimal coding compared to the full paging channel, and Butler et al. does not teach the

"broadcast indicator indicating a transmission of a broadcast message on a paging channel or a

broadcast channel in a method for transmitting and receiving short message broadcast services,"

which is different from the Patent Office conclusion that "it would have been obvious to one

skilled in the art at the time of the invention to modify Chander et al. such that the QPCH is

used to send the broadcast indicator, to provide several paths to the mobile should a primary

path(s) be congested/blocked."

Moreover, this combination is improper since it does not properly address the initial

combination of Chander et al. and Khalil. It is unclear as to how the combination of Chander et

al. and Khalil is being modified based on Butler et al. in addition to Rydbeck et al. It is

respectfully submitted that this improper or incorrect combination illustrates the piecemeal

combination of references to reject the features of amended claim 1. The proposed combination

of Chander et al., Khalil, Rydbeck et al. and Butler et al. results in duplicity of channels, where in

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addition to four channels, another channel is being used. The resultant combination results in five different channels to send similar/same information.

Based on the above, the rejections of A.(2) and A.(3) are similarly traversed. None of the references teach the broadcast indicator transmitted through the quick paging channel, as recited in dependent claim 3. Moreover, it is applicant's own teaching, which suggests using the reserved region of the quick paging channel. As can be appreciated by one of ordinary skill in the art, the possibilities for the use of the reserved region can be endless, but it is Applicant's own disclosure and teaching, which suggests the use of the reserved region for the broadcast indicator. It is respectfully submitted that the Patent Office is using impermissible hindsight to reject claims 4 and 6. Similar hindsight is being used for the rejections of A.(4) and A.(5).

As per the rejection of A.(7), the rejection is believed to be improper since the result would be different or opposite of the features recited claims 10 and 11 in combination with claims 1 and 9. The Patent Office relies upon claim 1 of Korpela et al. to conclude the features of claims 10 and 11. However, Korpela et al. must be read as a whole, rather than relying upon a single disclosure. As a whole, Korpela et al. teaches that the first channel is a broadcast channel and the second channel is a traffic channel of a point to point type. In other words, the combination of Chander et al. and Khalil and Korpela et al. would result in a paging channel (Chander et al.) and a broadcast channel (Khalil) being used to indicate a piece of information on a traffic channel. This is opposite of the features recited in claims 1, 9, 10 and 11.

As shown above, the rejections are based on piece meal reconstruction of claims, resulting in impermissible hindsight. Further, the combination fails to disclose or teach the

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claimed features. Hence, withdrawal of the rejections based on A.(1) - A.(7) is respectfully requested.

B. Claim set 15-19 stands rejected as follows:

- (1) Claim 15 stands rejected under 35 U.S.C. § 103 over Chander et al. in view of Khalil and further in view of Heo;
- (2) Claim 16 stands rejected under 35 U.S.C. § 103 over Chander et al. in view of Khalil and further in view of Butler et al.;
- (3) Claims 17 and 19 stand rejected under 35 U.S.C. § 103 over Chander et al. in view of Khalil and further in view of Willey #1, and
- (4) Claim 18 stands rejected under 35 U.S.C. § 103 over Chander et al. in view of Khalil and further in view of Korpela et al.

In regard to the combination of Chander et al. and Khalil for rejections B.(1)-B.(4), this rejection is respectfully traversed for the same rejection as set forth in rejection of A.(1), i.e., the combination would result in a broadcast message being transmitted on the paging channel (Chander et al.) and a broadcast message being transmitted on the broadcast channel (Khalil). Moreover, the combination with Heo is improper since Heo is assigned to LG Information and Communications, which is the same assignee of this application. Since this primary rejection is flawed, the remaining rejections of B.(2)-B.(4) are also flawed, and Butler et al., Willey #1 and Korpela et al. fail to rectify this deficiency. Hence, withdrawal of these rejections is respectfully requested.

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Claim set 20-25 stands rejected as follows: C.

- Claim 20 stands rejected under 35 U.S.C. § 103 over Chander et al. in view (1)of Khalil and further in view of Rydbeck et al.;
- Claim 21 stands rejected under 35 U.S.C. § 103 over Chander et al. in view (2)of Khalil and Rydbeck et al. and further in view of Butler et al.;
- Claim 22 stands rejected under 35 U.S.C. § 103 over Chander et al. in view (3) of Khalil and Rydbeck et al. and further in view of Willey #1, Willey #2, Heo, Butler et al. or Brown Jr., et al.;
- Claim 23 stands rejected under 35 U.S.C. § 103 over Chander et al. in view of Khalil and Rydbeck et al. and further in view of Butler et al. The Patent Office omits Rydbeck et al. in rejecting this claim, but Rydbeck et al. is required since it was used in a primary rejection of independent claim 20;
- Claim 24 stands rejected under 35 U.S.C. § 103 over Chander et al. in view (5) of Khalil, Rydbeck et al. and Butler et al. and further in view of Korpela et al. The Patent Office rejects claim 24 based on the combination of Chander et al., Khalil and Korpela et al., but since claim 20 is an independent claim and claim 23 is an intervening claim, the proper rejection would include Rydbeck et al. and Butler et al.; and
- Claim 25 stands rejected under 35 U.S.C. § 103 over Chander et al. in view (6)of Khalil, and Rydbeck et al. and further in view of Willey #1. The Patent Office erroneously rejects this claim based on Chander et al. in view Khalil and further in view of Willey #1.

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However, in order to reject claim 25, which is dependent upon independent claim 20, the

combination must include Rydbeck et al.

The above rejections are respectfully traversed.

For the reasons set forth in A.(2), the combination of Chander et al., Khalil and Rydbeck

et al. for C.(1) would result in four different channels, where two channels comprise a paging

channel and a high penetration paging channel, and the other two channels are a broadcast

channel and a high penetration channel. Such a resultant combination fails to disclose or teach

receiving a broadcast indicator on a first common channel (e.g., a quick paging channel) and a

broadcast message on a second common channel (e.g., paging channel or broadcast channel), as

recited in independent claim 20.

The rejection of C.(2) is most since claim 21 has been cancelled. As per the rejections of

C.(3)-C.(6), B, Willey #1, Willey #2, Heo, Butler et al. or Brown Jr. et al. fails to cure the flaws

of the primary reference. Moreover, the conglomeration of these references illustrates the

piccemeal reconstruction of the claimed invention, resulting in impermissible hindsight.

As per claim 23, which is rejected based on C.(3), Butler et al. does not teach an extended

system parameter since it generally teaches the concept similar to Rydbeck et al. Further, the

rejection of claim 24 reciting a first slot of the paging channel or the broadcast channel being

continuously monitored if the base station does not provide a broadcast indicator on the quick

paging channel, which the Patent Office relies upon Khalil as set forth in C.(5), cannot be

rendered obvious since the resultant combination would be four different channels being used to

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indicate a piece of information on a traffic channel. This is opposite of the claim 24 feature, and

the combination does not result in the claimed invention.

It is respectfully submitted that the proposed combinations of the applied references do

not teach or render obvious the claim invention of claim set 20-25. The proposed combinations

are piecemeal reconstructions of the claimed invention resulting in impermissible hindsight.

Hence, withdrawal of this set of rejections is respectfully requested.

D. Claim set 26-30 stands rejected as follows:

(1) Claim 26 stands rejected under 35 U.S.C. § 103 over Chander et al. in view

of Khalil and further in view of Rydbeck et al.; and

(2) Claims 28-30 stand rejected under 35 U.S.C. § 103 over Chander et al. in

view of Khalil and Rydbeck et al. and further in view of Butler et al. or Willey #1. The Patent

Office erroneously rejects this claim based on a combination of Chander et al., Khalil, and

Willey #1 or Chander et al., Khalil and Butler et al., but Rydbeck et al. must be included since

claim 26 is a base claim.

For the reasons set forth in A.(2), the combination of Chander et al., Khalil and Rydbeck

et al. for D.(1) would again result in four different channels where two channels comprise a

paging channel and a high penetration paging channel, and the other two channels are a

broadcast channel and a high penetration channel. Such a resultant combination fails to disclose

or teach means for monitoring a first common channel (e.g., a quick paging channel) and means

for monitoring a second common channel (e.g., paging channel or broadcast channel) to receive

a broadcast message on the second common channel only when a value of the broadcast

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indicator indicates that the broadcast message is present on the second common channel, as

recited in independent claim 26. Butler et al. or Willey #1 of rejection of D.(2) fails to cure such

deficiencies and withdrawal of this rejection is respectfully requested.

E. Claim set 31-36 stands rejected as follows:

(1) Claims 31, 35 and 36 stand rejected under 35 U.S.C. § 103 over Chander et

al. in view of Khalil. The Patent Office erroneously indicates that claims 35 and 36 are rejected

solely on Chander et al., but since claim 31 is a base claim, the proper rejection would still be

based on a combination of Chander et al. and Khalil;

(2) Claim 32 stands rejected under 35 U.S.C. § 103 over Chander et al. in view

of Khalil and further in view of Willey #1; and

(3) Claims 33 and 34 stand rejected under 35 U.S.C. § 103 over Chander et al.

in view of Khalil and further in view of Butler et al.

The rejections of claim 32 and 35 are moot since the subject matter thereof has been

incorporated into independent claim 31. Hence, for the amended claim 31, the rejection would

be based on a combination of Chander et al., Khalil and Willey #1. The rejection is respectfully

traversed.

As indicated above, the combination of Chander et al. and Khalil for claim 31 would

result in a broadcast message being sent on a paging channel (Chander et al.) and a broadcast

message being sent on the broadcast channel (Khalil). Such a combination would not result in

the broadcast indicator on the QPCH to indicate whether a broadcast message is present on at

least one of the paging channel or the Forward Common Control Channel and there is no

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teaching of the plurality of paging indicators and configuration change indicator on the QPCH.

Further, Willey #1 will not cure such a deficiency and further does not teach the specific

location of the broadcast indicator, which precedes the configuration change indicator in the

information slot. It is Applicant's own teaching, which shows such a feature, and there is no

motivation to combine all three references other than Applicant's own teaching. Hence,

withdrawal of rejections of E.(1)-E.(3) is respectfully requested.

F. <u>Claim set 37-48 stands rejected as follows:</u>

(1) Claims 37, 40, 47 and 48 stand rejected under 35 U.S.C. § 103 over

Chander et al. and Khalil in view of Willey #1 or Willey #2. The Patent Office erroneously

rejects dependent claims 40, 47 and 48 based on Chander et al. and Khalil, but since claim 37 is a

base claim, the combination must include Willey #1 or Willey #2;

(2) Claim 38 stands rejected under 35 U.S.C. § 103 over Chander et al. and

Khalil in view of Heo;

(3) Claim 39 stands rejected under 35 U.S.C. § 103 over Chander et al. and

Khalil in view of Willey #1; and

(4) Claims 41-46 stand rejected under 35 U.S.C. § 103 over Chander et al. and

Khalil in view of Willey #1 or Willey #2 and further in view of Gilhousen et al. The Patent

Office erroneously omits Gilhousen et al. in the rejection of claims 42-43 and 45-46 since claims

41 and 44, respectively, are intervening claims.

The rejection of claim 38 is moot since it has been cancelled, and the subject matter

therein has been incorporated into independent claim 37. Hence, the rejections of F.(1) and

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F.(3)-F.(4) now would include a combination with Heo. As previously indicated, Heo is commonly assigned to the same assignee, LG Information and Communications, and hence, Heo is not a valid reference for combination. Further, none of the references used in rejection of F.(3)-F.(4) teach the feature which was replied upon using Heo. Moreover, it is unclear as to the motivation for combining such a conglomeration of references, other than Applicant's own teaching, which is used as a template for piecemeal reconstruction. Hence, withdrawal of this rejection is respectfully requested.

G. Claim set 49-56 stands rejected as follows:

- (1) Claims 49, 51, 52, 55 and 56 stand rejected under 35 U.S.C. § 103 over Chander et al. and Khalil in view of Willey #1 or Willey #2;
- (2) Claim 50 stands rejected under 35 U.S.C. § 103 over Chander et al. and Khalil in view of Willey #1 or Willey #2 and further in view of Butler et al.; and
- (3) Claims 53 and 54 stand rejected under 35 U.S.C. § 103 over Chander et al. and Khalil in view of Willey #1 or Willey #2 and further in view of Brown, Jr. et al.

The rejections of claims 50-53 are most since those claims have been cancelled, and the subject matter therein has been incorporated to independent claim 1. Hence, the rejection of amended independent claim 1 would be based on a combination of Chander et al., Khalil, Butler et al. and Brown, Jr. et al. with Willey #1 or Willey #2. This rejection is respectfully traversed.

The combination of Chander et al. and Khalil is respectfully traversed for the same reasons as above. The combination would not result in the claim 49 invention. Further, there is no motivation to combine such a conglomeration of references other than Applicant's own

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teaching, and there is no teaching of the specific features of the broadcast indicator on the Quick Paging Channel or including an indicator such as QPCH_BI_SUPPORTED field in the extended system parameter which indicates that the broadcast indicator is supported in the Quick Paging Channel in Butler et al. and Willey #1 or Willey #2. Further, although Brown, Jr. et al. teaches the term BCAST_INDEX, there is no specific teaching of the BCAST_INDEX being not equal to "000" for monitoring the broadcast indicator on the Quick Paging Channel only if the BCAST_INDEX is not equal to "000", and it is unclear what motivation there exists to combine Brown, Jr. et al. when it relates to switching to different service options. Hence, withdrawal of this rejection is respectfully requested.

H. Claim set 57-68 stands rejected as follows:

- (1) Claims 57 and 63-64 stand rejected under 35 U.S.C. § 103 over Chander et al. in view of Khalil;
- (2) Claims 58-62 stand rejected under 35 U.S.C. § 103 over Chander et al. in view of Khalil and further in view of Brown, Jr. et al;
- (3) Claims 65-66 stand rejected under 35 U.S.C. § 103 over Chander et al. in view of Khalil and further in view of Willey #1; and
- (4) Claims 67-68 stand rejected under 35 U.S.C. § 103 over Chander et al. in view of Khalil and further in view of Butler et al., but this rejection is moot since these claims have been cancelled.

Claim 58 has been cancelled and the subject matter therein has been incorporated in to independent claim 57. Hence, the applicable rejection for amended claim 57 would be based on

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a combination of Chander et al., Khalil and Brown, Jr. et al. This rejection is respectfully traversed for the reasons set forth above in regard to the combination of Chander et al. and Khalil and this combination fails to teach the broadcast indicator in a Quick Paging Channel. Further, Brown, Jr. et al. does not teach the features of claim 58 which has been incorporated into independent claim 57. For example, there is no teaching in Brown, Jr. et al. regarding the setting a second information in the overhead message, wherein the second information indicates whether or not the broadcast indicator is supported in the Quick Paging Channel. It is unclear as to how a reference related to service options would teach such a feature, and the combination thereof.

For similar reasons as above in regard to Brown, Jr. et al., the rejection of H.(2) is similarly traversed. The Patent Office concludes that the features of these dependent claims are taught since the Tables of Brown, Jr. et al. illustrates the terms used in the claims. However, there is no teaching in regard to the specific features and the combination thereof. Such conclusion of obviousness does not meet the requirement of *prima facie* case of obviousness, as required under Section 35 U.S.C. § 103.

As per H.(3), Willey #1 fails to cure the deficiencies of the primary combination, and hence, cannot teach the claimed invention.

In view of the above, withdrawal of these rejections are respectfully requested.

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I. Claims 69-70 stand rejected under 35 U.S.C. § 103 over Chander et al. and Khalil

in view of Willey #1 or Willey #2.

Claim 70 has been cancelled, and the subject matter therein has been incorporated into

independent claim 69. The combination of Chander et al. and Khalil are respectfully traversed

for the reasons set forth above, and Chander et al. and Khalil, alone or in combination, fail to

disclose the broadcast indicator in a quick paging channel. Further, neither Willey #1 nor Willey

#2, alone or in combination, fails to teach such a feature found lacking in Chander et al. and/or

Khalil.

The specific location of the broadcast indicator is also not taught by Willey #1 and/or

Willey #2. It is Applicant's own teaching of the broadcast indicator and the location thereof in

the quick paging channel which is being used to reject these claims, and Willey #1 and/or Willey

#2 does not teach or render obvious such a feature. Hence, withdrawal of this rejection is

respectfully requested.

J. Claim set 71-80 stands rejected as follows:

(1) Claims 71-75 stand rejected under 35 U.S.C. § 103 over Chander et al. and

Khalil, alone or in combination thereof, in view of Willey #1 or Willey #2; and

(2) Claims 76-80 stand rejected under 35 U.S.C. § 103 over Chander et al. and

Khalil, alone or in combination thereof, in view of Willey #1 or Willey #2 and further in view of

Brown, Jr. et al.

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The rejections of 72 and 76 are most since these claims have been cancelled and the subject matter thereof has been incorporated into independent claim 71. Hence, the only rejection pending in this set of claims is J.(2), which is respectfully traversed.

Chander et al. and Khalil, alone, cannot teach the broadcast indicator on a quick paging channel and if the broadcast indicator indicates existence of a broadcast message, then monitoring a common control channel, e.g., paging or broadcast channel, as recited in independent claim 71. Chander et al. alone teaches a broadcast message on a paging channel, and Khalil alone teaches a broadcast message on a broadcast channel. Further, the combination of Chander et al. and Khalil will not result in the claimed invention for the reasons set forth above.

Further, neither Willey #1 nor Willey #2 contemplates use of a broadcast indicator in the quick paging channel, and hence, the combination with Chander et al. and Khalil, alone or in combination thereof, cannot teach the claimed invention. Further, Brown, Jr. et al. teachings are found lacking for the reasons set forth above, and the combination of Chander et al. and Khalil, alone or in combination thereof, with Willey #1 or Willey #2 and Brown, Jr. et al. cannot teach the claimed invention. Hence, withdrawal of this rejection is respectfully requested.

The rejection of claims 81 and 82 is moot, since those claims have been cancelled.

In view of the foregoing amendments and remarks, it is respectfully submitted that the application is in condition for allowance. If the Examiner believes that any additional changes would place the application in better condition for allowance, the Examiner is invited to contact the undersigned attorney, Daniel Y.J. Kim, at the telephone number listed below.

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To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this, concurrent and future replies, including extension of time fees, to Deposit Λccount 16-0607 and please credit any excess fees to such deposit account.

Respectfully submitted, FLESHNER & M,VL

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Date: May 6, 2004

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